

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DELMARCO TURNER,

Case No. 16-cv-868-pp

Petitioner,

v.

BRIAN FOSTER,

Respondent.

**ORDER GRANTING PETITIONER'S MOTION TO APPLY FILING FEE PAID IN
THIS CASE TO CASE NO. 16-CV-862 (DKT. NO. 3)**

The petitioner and his attorney, unbeknownst to each other, filed petitioner, each based on the same set of facts. See Turner v. Foster, 16-cv-868-pp; Turner v. Foster, 16-cv-862-jps.

The petitioner has voluntarily dismissed the petition in this case, Dkt. No. 2. He asks that this court order that the \$5 filing fee his attorney paid to file this (now dismissed) case be applied to the case that remains open, 16-cv-862. Dkt. No. 3.

The court **GRANTS** the petitioner's motion to apply the filing fee to case no. 16-cv-862 (Dkt. No. 3), and **ORDERS** that the clerk's office apply the \$5 paid in this case on July 5, 2016 to case no. 16-cv-868, because this case was

a duplicate filing.

Dated in Milwaukee, Wisconsin this 11th day of July, 2016.

BY THE COURT:

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line.

HON. PAMELA PEPPER
United States District Judge